

Appl. No. : 10/713,549
Filed : November 14, 2003

REMARKS

By this paper, Claims 1, 6, 19, and 25 have been amended. Claims 4, 23, and 24 have been canceled. Claims 2-3, 5, 7-18, and 20-22 remain unchanged. Thus, Claims 1-3, 5-22 and 25 remain pending in the application and are presented for further examination.

I. Objected to Claims 6-8 and 24

In paragraph 7 of the Office Action, the Examiner objected to Claims 6-8 and 24 as being dependent on a rejected base claim. By this paper, Applicant has amended Claim 6 to include all limitations of Claim 1 from which it depended. Thus, Applicant submits that Claims 6-8 are in condition for allowance. As Claim 24 depended from Claims 23 and 19, Applicant has amended Claim 19 to include the subject matter of Claims 23 and 24. Thus, Applicant submits that Claims 19-22 are also in condition for allowance.

II. Rejection of Claims 1-5, 15, and 25 under 35 U.S.C. § 102(e) over Sandbach, et al

In paragraph 2 of the Office Action, the Examiner rejected Claims 1-5, 15, and 25 as being anticipated by U.S. Patent No. 6,585,162 to Sandbach, et al ("Sandbach"). By this paper, Applicant has amended independent Claims 1 and 25 to include at least some of the features of Claim 4. With respect to Claim 4 (and Claim 5), the Examiner stated that Figures 4 and 7 of Sandbach teach "the housing having substantially flat lower surface when not in contact with a resting place. Figure 5 shows the support conforming to the shape of the resting place, having a substantially v-shaped lower surface to align with two thighs." *Office Action* at 3. For the reasons set forth below, Applicant submits that Sandbach fails to teach or suggest all elements of Claim 1, as amended.

A. The Law of Anticipation

Anticipation under Section 102 can be found only if a reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775 (Fed. Cir. 1985). More particularly, a finding of anticipation requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention. *Electro Med. Sys. S.A. v. Cooper Life Sciences*, 34 F.3d 1048, 1052 (Fed. Cir. 1994). "To anticipate, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Brown v. 3M*, 265 F.3d

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1349 (*Fed. Cir. 2001*). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970).

B. Sandbach Fails to Teach All Limitations of Claim 1, as amended.

Claim 1, as amended, recites an apparatus comprising “an object attached to the keyboard along at least a portion of the lower surface of the keyboard, the object being adapted for providing a cushioned region between the keyboard and a resting place, wherein the object is substantially flat at its lower surface when not in contact with the resting place, and the object is configured to modify its flatness to conform, at least in part, to the shape of the resting place while substantially maintaining the shape of the keyboard” (emphasis added). Figure 5 of Sandbach clearly shows that when the keyboard of Sandbach conforms to its resting place between a user’s thighs, the keyboard does not maintain its shape. *Sandbach*, Figure 5. Rather, as shown in Figure 5 of Sandbach, the shape of the keyboard is distorted to also conform to the shape of the resting place. *Id.* Thus, Sandbach fails to teach or suggest an object “configured to modify its flatness to conform, at least in part, to the shape of the resting place while substantially maintaining the shape of the keyboard” as recited by Claim 1, as amended. Thus, Applicant submits that Sandbach fails to anticipate or render obvious the invention of Claim 1. Applicant therefore submits that Claim 1, as amended, is allowable.

As Claim 25, as amended, includes at least some of the features of Claim 1, Applicant submits that Claim 25 is allowable for at least the same reasons. Moreover as each of 2, 3, 5, and 15 depend from Claim 1, Applicant submits that those claims also allowable for at least the same reasons as set forth with reference to Claim 1.

III. Rejection of Claims 9-14, 16, 17, and 19-23 under 35 U.S.C. § 103(a) over Sandbach in view of Amro, et al

In paragraph 4 of the Office Action, the Examiner rejected Claim 14 under 35 U.S.C. § 103(a) over Sandbach. In paragraph 5 of the Office Action, the Examiner rejected Claims 9-13, 16, 17, and 19-23 under 35 U.S.C. § 103(a) over Sandbach in view of U.S. Patent No. 6,664,949 to Amro, et al. For the reasons set forth below, Applicant submits that Sandbach and Amro, alone or in combination, fail to teach or suggest all elements of Claims 9-14, 16, 17, and 19-23.

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Each of Claims 9-14, 16, 17, and 19-23, depends from one of Claims 1 and 19. As discussed above, Claim 19 has been amended to include the allowed subject matter of now canceled Claim 24. Thus, Applicant submits that Claims 19-23 are in condition for allowance.

With respect to Claims 9-14, 16, and 17, as set forth above, Sandbach fails to teach or suggest all elements of Claim 1, as amended. Applicant further submits that Amro also fails to teach or suggest all elements of Claim 1, as amended. As each of Claims 9-14, 16, and 17 depend from Claim 1, Applicant submits that each of these claims is also allowable for at least the same reasons as set forth with reference to Claim 1, as amended.

IV. Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the clarity of the claims to particularly and distinctly point out the invention to those of skill in the art. Finally, Applicant submits that the claim limitations above represent only illustrative distinctions. Hence, there may be other patentable features that distinguish the claimed invention from the prior art.

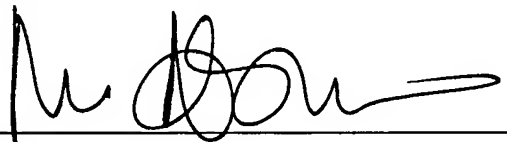
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In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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